

PATENT APPLICATION
Docket No. 15436.436.2

In re application of:

Serial No.: 10/026,016

Filed: December 20, 2001

Conf. No.: 6091

For: VERTICAL CAVITY SURFACE EMITTING LASER
INCLUDING INDIUM, ANTIMONY AND
NITROGEN IN THE ACTIVE REGION

Examiner: Dung T. Nguyen

Customer No.: 022913

NOTICE OF APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R.. § 1.191 applicant hereby appeals from the decision of the Examiner rejecting pending claim Nos. 1-27 and Nos. 29-37 contained in an Office Action mailed 10/14/2005. Applicant appeals the decision of the Examiner with respect to each of the pending claims.

Form PTO-2038 submitting Credit Card Payment in the amount of \$620.00 is enclosed to cover the fees with respect to this Notice of Appeal.

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The Commissioner is hereby requested to credit any over payment or charge any additional fees with respect to this Notice of Appeal, pursuant to 37 C.F.R. § 1.17(e), to Deposit Account No. 23-3178. Triplicate copies of this Notice of Appeal are attached.

Dated February 14, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DA Jones', written over the printed name.

DAVID A. JONES
Attorney for Applicant
Registration No. 50,004
Customer No. 022913